

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RODNEY ROLLNESS,
Petitioner,
v.
UNITED STATES OF AMERICA,
Respondent.

Case No. C10-1440RSL

ORDER DENYING MOTION
FOR COUNSEL, MOTION FOR
EXTENSION OF TIME AND
MOTION TO SUPPLEMENT

This matter comes before the Court on Petitioner’s “Motion for Appointment of Counsel,” dkt. # 30, “Motion for Extension of Time to File Petitioner’s Objections to Court’s Report and Recommendations,” dkt. # 31, and “Request for Permission to Supplement Pending § 2255 Motion in Light of New Supreme Court Case Law,” dkt. # 32. Having considered the facts set forth in the motions and remainder of the record, the Court finds as follows:

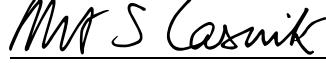
(1) Because the Court concludes that an evidentiary hearing is not required, the Court is not required to appoint counsel. See Rule 8(c) of the Rules Governing § 2255 Proceedings for the United States District Courts. The Court concludes that the legal issues are not inherently complex and Petitioner has adequately articulated his claims. The Court, therefore, DENIES Petitioner's motion for counsel (Dkt. # 30).

(2) On July 15, 2013, Petitioner sought a sixty-day extension of time to file his objections to the Report and Recommendation of United States Magistrate Judge Brian A. Tsuchida. Dkt. # 31. Petitioner filed his Objections on July 25, 2013, and the Court

1 considered his Objections. Thus, Petitioner's motion for an extension of time (Dkt. #
2 31) is DENIED as moot.

3 (3) Petitioner's request for leave of court to supplement his § 2255 motion is
4 DENIED. Petitioner has been afforded an adequate opportunity to present a cognizable
5 claim. The Court further notes that it considered the Supreme Court's recent decision in
6 Alleyne v. United States, - - - U.S. - - - , 133 S.Ct. 2151 (2013) and finds that it does not
7 alter the Court's decision to adopt the Report and Recommendation of United States
Magistrate Judge Brian A. Tsuchida.

8 DATED this 21st day of August, 2013.
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11 Robert S. Lasnik
12 United States District Judge
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